

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

CHRISTOPHER BUSBY,  
 Plaintiff,  
 v.  
 LORA CODY, et al.,  
 Defendants.

Case No.: 2:19-cv-01422-APG-NJK

**ORDER**

Plaintiff is an inmate proceeding *pro se* in this action pursuant to 28 U.S.C. § 1915. On August 27, 2019, Plaintiff filed an application to proceed *in forma pauperis* in this action, which the Court granted. Docket Nos. 3, 7. On January 8, 2021, United States District Judge Andrew P. Gordon issued an order finding that Plaintiff's claims are not barred under *Heck v. Humphrey*, 512 U.S. 477 (1994). Docket No. 23 at 3. Judge Gordon instructed the Clerk's Office to reopen this case, with the second amended complaint being the operative complaint. *Id.*

Accordingly, **IT IS ORDERED** that:

1. The Clerk's Office shall issue summons to Defendant Las Vegas Metropolitan Police Department, and deliver the same to the U.S. Marshal for service. The Clerk's Office shall also deliver a copy of the second amended complaint, Docket No. 17, to the U.S. Marshal for service.
2. The Clerk will send to Plaintiff a USM-285 form. Plaintiff shall have March 1, 2021, within which to furnish the U.S. Marshal with the required Form USM-285. Within twenty days after receiving from the U.S. Marshal a copy of the Form USM-285, showing whether service has been accomplished, Plaintiff must file a notice with the Court identifying whether Defendant was served. If Plaintiff wishes to have service again attempted on an unserved defendant, a motion must be filed with the Court

1 identifying the unserved defendant and specifying a more detailed name and/or address  
2 for said defendant, or whether some other manner of service should be attempted.

3 3. Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, service must be  
4 accomplished no later than April 29, 2021.

5 4. From this point forward, Plaintiff shall serve upon Defendant or, if appearance has been  
6 entered by counsel, upon the attorney(s), a copy of every pleading, motion, or other  
7 document submitted for consideration by the court. Plaintiff shall include with the  
8 original papers submitted for filing a certificate stating the date that a true and correct  
9 copy of the document was mailed to Defendant or counsel for Defendant. The Court  
10 may disregard any document received by a District Judge or Magistrate Judge that has  
11 not been filed with the Clerk, and any document received by a District Judge,  
12 Magistrate Judge, or the Clerk that fails to include a certificate showing proper service  
13 when required.

14 IT IS SO ORDERED.

15 Dated: January 29, 2021

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18 Nancy J. Koppe  
19 United States Magistrate Judge  
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